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ON 8 January 2004

*[Signature]*  
ATTORNEY FOR APPLICANT

*8 Jan 2004*  
DATE

Attorney Docket No.: P32555D2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Conley, *et al.*  
Serial No.: 10/681,055  
Filed: 8 October 2003  
For: Novel Method of Treatment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO CORRECT FILE DATE

Sir:

Applicants respectfully request a correction of the filing date in the above noted application. Applicants submitted on 8 October 2003 by Express Mail, the instant application as noted by a photocopy of the Transmittal Sheet and the Express Mail certificate having a stamped date of receipt of 8 October 2003 (copies enclosed). In contrast, the USPTO date stamped the return postcard 7 October 2003, and not the mail date of 8 October 2003 (copy of postcard enclosed).

Applicants therefore respectfully request that the United States Patent and Trademark Office correct the above-noted error and issue an amended Filing Receipt showing a filing date of 8 October 2003.

These errors appear to be on the part of the Patent and Trademark Office since they are not present in applicant's file copy of the application. No fee is believed due however, the Commissioner is hereby authorized to charge Deposit account 19-2570 accordingly is this is in error. Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call the undersigned at the number below.

Respectfully submitted,

*[Signature]*

Dara L. Dinner  
Attorney for Applicants  
Registration No. 33,680

SMITHKLINE BEECHAM CORPORATION  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
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| <input checked="" type="checkbox"/> Specification <u>42</u> pages                              | <input checked="" type="checkbox"/> Abstract <u>1</u> pgs |                              |  | <input type="checkbox"/> Diskette <input type="checkbox"/> Paper Seq. Listing |
| <input checked="" type="checkbox"/> Dec. & Power of Atty <u>3</u> pages ( )                    |   |                              |  | <input type="checkbox"/> Appeal Brief _____ pages                             |
| <input checked="" type="checkbox"/> Drawings <u>4</u> Sheet(s)/Figs <u>1</u> to <u>4</u>       |   |                              |  | <input type="checkbox"/> Petition _____ pgs.                                  |
| <input type="checkbox"/> Assignment _____ pages & Recordation Cover Sheet                      |   |                              |  | <input type="checkbox"/> Status Request                                       |
| <input type="checkbox"/> Trans. Ltr Nat'l Stage Entry (3pgs.)                                  |   |                              |  | <input type="checkbox"/> Trans. Nat'l Stage (2nd sub)                         |
| <input type="checkbox"/> Information Disclosure Statement                                      |   |                              |  | <input type="checkbox"/> Resp. to Written Opinion                             |
| <input checked="" type="checkbox"/> Form PTO-1449 <u>9</u> pgs. & <u>255</u> References        |   |                              |  | <input type="checkbox"/> Priority Document                                    |
| <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Response <u>6</u> pages |   |                              |  | <input type="checkbox"/> Notice of Appeal/Brief                               |
| <input type="checkbox"/> Petition for Extension of Time plus 2 copies                          |   |                              |  | <input type="checkbox"/> Resp. to Rest. Req. _____ pgs.                       |
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17354 U.S. PTO  
10/681055



100703

# UTILITY PATENT APPLICATION TRANSMITTAL

(For new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P32555D2

First Named Inventor

Conley et al

## "EXPRESS MAIL CERTIFICATE"

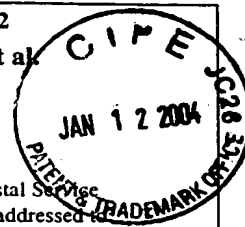
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NAME OF PERSON MAILING PAPER OR FEES

(TYPE OR PRINT) Emma Dennis

SIGNATURE Emma Dennis



### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. **19-2570**  
☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))  
*(Submit an original, and a duplicate for fee processing)*

2. ☒ The total fee is calculated as shown below:  
Basic Filing fee \$770.00  
Total Claims 16 - 20 = 38 x \$18 \$ 0.00  
Independent Claims 10 - 3 = 7 x \$84 \$588.00  
☐ Multiple Dependent Claim present. \$280  
**TOTAL FILING FEE \$1,358.00**

☐ Cancel in this application original claims to of the prior application before calculating the filing fee.

☒ Charge **\$1,358.00** to the above indicated Deposit Account.

3a. ☒ Specification excluding Drawings [Total Pages] **42**

3b. ☒ Abstract on a separate sheet [Total Pages] **1**

4. ☒ Drawing(s) (35 USC 113) [Total Sheets] **4**

5. ☒ Declaration and Power of Attorney [Total Pages] **3**  
a. ☐ Newly executed (original or copy)  
b. ☒ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17a completed)*  
c. ☐ Unsigned Declaration  
[Note Box 6 below]  
i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☒ Incorporation By Reference (useable if Box 5b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☒ The Title of the Invention:  
**NOVEL METHOD OF TREATMENT**
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
a. ☐ Computer Readable Copy  
b. ☐ Paper Copy (identical to computer copy)  
c. ☐ Statement verifying identity of above copies  
d. ☐ Use the identical computer-readable form filed in Application No. \_\_\_\_\_, filed \_\_\_\_\_ as the computer-readable form for the instant application. (37 CFR 1.821(e))

### ACCOMPANYING APPLICATION PARTS

9. a. ☒ Information Disclosure Statement (IDS)  
b. ☒ PTO-1449  
c. ☒ Copies of all IDS Citations

10. ☐ Assignment Papers (cover sheet & document(s))

11. ☒ Prior Application is Assigned to:  
Beecham Pharmaceuticals (Pte) Limited  
*(for continuation/divisional with Box 17a completed)*

12. ☒ Preliminary Amendment [Total Pages] **6**

13. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*

14. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*

15. ☐ Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_ A  
PTO-1449 listing the references is enclosed.

16. ☐ Other: \_\_\_\_\_

17. ☒ Priority Information, check appropriate box and supply the requisite information

a. The accompanying application is a ☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)  
of prior application No: **09/911,905** filed **24 July 2001**.

b. ☐ Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications:  
Application No. \_\_\_\_\_ filed \_\_\_\_\_

c. **\*\* Add claim to priority via Preliminary Amendment.**

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Respectfully Submitted,  
Signature Name Dara L. Dinner  
Registration No. **33,680**

20462

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